

## **BILL ANALYSIS**

Senate Research Center  
86R17272 SRS-D

H.B. 933  
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State Affairs  
5/7/2019  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Internet is used by many voters, especially young voters, to access information regarding elections. Current law, however, does not obligate this information to be posted online. This could contribute to Texas' low voter turnout rates, which are consistently among the lowest in the country.

H.B. 933 would require counties and the secretary of state to make all existing notices and postings concerning various aspects of the electoral process, including materials concerning poll site locations and hours, voter registration, contact information for elections' offices, and ID requirements, available online. This would ensure that more voters have access to the information they need to participate in the democratic process. This would not only make the voting more convenient for eligible persons, but also would promote increased voter turnout.

H.B. 933 amends current law relating to posting of election information on the secretary of state's and each county's Internet website.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the secretary of state in SECTION 4 (Section 31.016, Election Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 4.003(b), Election Code, as follows:

(b) Requires a county, in addition to any other notice given for an election under Subsection (a) (relating to requiring notice of an election to be given by certain methods), not later than the 21st day before election day, to post a copy of a notice of the election given by the county or provided to the county under Section 4.008(a), which is required to include the location of each polling place, on the county's Internet website, rather than requiring the authority responsible for giving notice of the election, in addition to any other notice given for an election under Subsection (a), not later than the 21st day before election day, to post a copy of the notice which is required to include the location of each polling place, on the bulletin board used for posting notices of the meetings of the governing body of the political subdivision that the authority serves. Authorizes an authority responsible for giving notice of an election to post a copy of the notice on the bulletin board used for posting notices of the meetings of the governing body of the political subdivision that the authority serves.

SECTION 2. Amends Section 4.008(a), Election Code, as follows:

(a) Requires the governing body of a political subdivision, other than a county, that orders an election, except as provided by Subsection (b) (relating to certain procedures for adopting a tax rate), to deliver notice of the election, including the location of each polling place, rather than notice of the election, to the county clerk and voter registrar of each county in which the political subdivision is located not later than the 60th day before election day. Requires the county clerk to post notice of the election, including the

location of each polling place, on the county's Internet website as provided by Section 4.003(b).

SECTION 3. Amends Section 31.012(a), Election Code, as effective September 1, 2020, as follows:

(a) Requires the secretary of state (SOS) and the voter registrar of each county, rather than each county that maintains a website, to provide notice of the identification requirements for voting prescribed by Chapter 63 (Accepting Voter) and that straight ticket voting has been eliminated pursuant to H.B. 25 (relating to the elimination of straight party voting), Acts of the 85th Legislature, Regular Session, 2017, on each entity's respective Internet website in each language in which voter registration and election materials are available. Requires SOS to prescribe the wording of the notice to be included on the Internet websites. Makes nonsubstantive changes.

SECTION 4. Amends Subchapter A, Chapter 31, Election Code, by adding Section 31.016, as follows:

Sec. 31.016. VOTING INFORMATION ON SECRETARY OF STATE'S WEBSITE. (a) Requires SOS to prescribe procedures requiring the county officer responsible for administering elections to submit contact information of the county election office to SOS for inclusion on SOS's Internet website, including:

- (1) the street address and zip code;
- (2) the mailing address if different from the address provided in Subdivision (1);
- (3) telephone number;
- (4) facsimile number; and
- (5) e-mail address.

(b) Requires SOS to prescribe procedures requiring each entity designating the location of a polling place, including an early voting polling place, to submit information on the location to SOS for inclusion on SOS's Internet website.

(c) Requires, for each polling place, the information submitted to include:

- (1) the name of the building in which the polling place is located, if available;
- (2) the street address and zip code of the polling place; and
- (3) the days and hours of voting at each location.

(d) Requires the polling information under Subsection (c) to be posted on SOS's Internet website in a downloadable format.

(e) Provides that SOS:

- (1) is authorized to solicit and accept gifts, grants, and donations from any public or private source for the creation and maintenance of the Internet website; and
- (2) is required to adopt rules as necessary to implement this section.

SECTION 5. Amends Subchapter E, Chapter 31, Election Code, by adding Section 31.125, as follows:

Sec. 31.125. COUNTY WEBSITE. (a) Requires the county officer responsible for administering elections to post on the county's Internet website contact information for the county election office including:

- (1) the street address and zip code;
- (2) the mailing address if different from the address provided in Subdivision (1);
- (3) telephone number;
- (4) facsimile number; and
- (5) e-mail address.

(b) Requires the county clerk, for each polling place located in the county, to post on the county's Internet website:

- (1) the name of the building in which the polling place is located, if available;
- (2) the street address and zip code of the polling place; and
- (3) the days and hours of voting at each location.

SECTION 6. Amends Section 32.114(c), Election Code, as follows:

(c) Requires the county clerk to:

- (1) post a notice of the time and place of each session of training for certain election officers on the county's Internet website and authorizes the county clerk to post the notice on the bulletin board used for posting notice of meetings of the commissioners court, and requires the county clerk to include on the notice a statement that the program is open to the public, rather than requiring the county clerk to post a notice of the time and place of each session of training for certain election officers on the bulletin board used for posting notice of meetings of the commissioners court and to include on the notice a statement that the program is open to the public; and
- (2)–(4) makes no changes to these subdivisions.

SECTION 7. Amends Section 42.035(a), Election Code, as follows:

(a) Makes a nonsubstantive change. Requires the commissioners court, beginning with the first week following the week in which an order changing a county election precinct boundary is adopted, to publish notice of the change:

- (1) creates this subdivision from existing text and makes a nonsubstantive change; and
- (2) on the county's Internet website for three consecutive weeks.

SECTION 8. Amends Section 43.061(c), Election Code, as follows:

(c) Requires notice required by Subsection (b) (relating to required notice if the location of a polling place changes) to be given by:

- (1) makes no changes to this subdivision; or

(2) posting the notice in a listing used specifically to inform the public of changes to the location of a polling place on the Internet website, rather than on any Internet website, that the county clerk maintains to provide information on elections held in the county.

SECTION 9. Amends Section 66.059, Election Code, by amending Subsection (b) and adding Subsection (b-1), as follows:

(b) Makes a nonsubstantive change. Requires the district judge, if the political subdivision holding the election is not a county, rather than the district judge, to post a notice of the date, hour, and place for opening the box on the bulletin board used for posting notices of the meetings of the governing body of the political subdivision served by the general custodian of election records.

(b-1) Requires the district judge, if the political subdivision holding the election is a county, to post a notice of the date, hour, and place for opening the box on the county's Internet website. Requires the notice to remain posted continuously for the 24 hours preceding the hour set for opening the box.

SECTION 10. Amends Section 67.012(b), Election Code, to require SOS to post, on SOS's Internet website, rather than on the bulletin board used for posting notice of meetings of state governmental bodies, a notice of the date, hour, and place of the canvass at least 72 hours before the canvass is conducted.

SECTION 11. Amends Section 85.007(c), Election Code, as follows:

(c) Creates Subdivision (1) from existing text and makes nonsubstantive changes. Requires notice under Subsection (b) (relating to required notice relating to early voting for each election stating the dates and hours that voting on a Saturday or Sunday is ordered to be conducted) to be posted continuously for at least 72 hours immediately preceding the first hour that the voting to which the notice pertains will be conducted. Requires the notice to be posted on:

(1) the bulletin board used for posting notice of meetings of the city governing body if the early voting clerk is the city secretary, rather than the bulletin board used for posting notice of meetings of the commissioners court if the early voting clerk is the county clerk, or of the city governing body if the early voting clerk is the city secretary; or

(2) the county's Internet website if the early voting clerk is the county clerk.

SECTION 12. Amends Section 85.067(d), Election Code, as follows:

(d) Creates Subdivisions (1) and (2) from existing text and makes nonsubstantive changes. Requires the schedule to be posted on:

(1) the bulletin board used for posting notice of meetings of the governing body of the political subdivision served by the authority ordering the election or, if the early voting clerk is the city secretary, meetings of the city governing body, rather than the bulletin board used for posting notice of meetings of the governing body of the political subdivision served by the authority ordering the election or, if the early voting clerk is the county clerk or city secretary, meetings of the commissioners court or city governing body, as applicable; or

(2) the county's Internet website if the early voting clerk is the county clerk.

SECTION 13. Amends Section 87.027, Election Code, by amending Subsection (k) and adding Subsection (k-1), as follows:

(k) Requires postings required by this section (Signature Verification Committee) to be made on the bulletin board used for posting notice of meetings of the governing body of the political subdivision in an election other than an election for which the county election board is established or a primary election, rather than requiring postings required by this section to be made on the bulletin board used for posting notice of meetings of the commissioners court, in an election for which the county election board is established or a primary election, or of the governing body of the political subdivision in other elections.

(k-1) Requires postings required by this section to be made on the county's Internet website in an election for which the county election board is established or a primary election.

SECTION 14. Amends Section 129.023(b), Election Code, as follows:

(b) Requires public notice of the test of a voting system to be published on the county's Internet website at least 48 hours before the test begins, and the test to be open to the public.

SECTION 15. Amends Section 172.113(d), Election Code, as follows:

(d) Requires the authority establishing a central counting system and preparing an unofficial tabulation of the results to make periodic announcement of the current state of the tabulation, including by posting the announcements on the Internet website of the county, rather than on the Internet website of the county, if the county maintains a website.

SECTION 16. Amends Section 181.006(k), Election Code, as follows:

(k) Requires SOS to post a notice of the receipt of a petition to supplement precinct convention lists on SOS's Internet website and authorizes SOS to post the notice on a bulletin board used for posting notice of meetings of state governmental bodies, rather than requiring SOS to post a notice of the receipt of a petition to supplement precinct convention lists on the bulletin board used for posting notice of meetings of state governmental bodies.

SECTION 17. Amends Section 203.012(c), Election Code, as follows:

(c) Requires SOS to post, on SOS's Internet website, rather on the bulletin board used for posting notice of meetings of state governmental bodies, a notice of the date, hour, and place of the canvass at least 24 hours before the canvass for a special election to fill a vacancy in the legislature is conducted.

SECTION 18. Amends Section 274.002(c), Election Code, as follows:

(c) Requires SOS to post on SOS's Internet website and authorizes SOS to post on a bulletin board for posting notice of a meeting of a state governmental body a notice, rather than requiring SOS to post on the bulletin board for posting notice of a meeting of a state governmental body a notice, of the date, hour, and place of the drawing, for ballot order of constitutional amendments.

SECTION 19. (a) Requires SOS, not later than September 1, 2019, to post the information as required by Section 31.016, Election Code, as added by this Act.

(b) Requires a county that on September 1, 2019, maintains an Internet website, not later than October 1, 2019, to post information as required by Section 31.125, Election Code, as added by this Act.

(c) Requires a county that on September 1, 2019, does not maintain an Internet website, not later than March 1, 2020, to post information as required by Section 31.125, Election Code, as added by this Act.

SECTION 20. Effective date: September 1, 2019.